

The House Committee on Regulated Industries offers the following substitute to SB 393:

A BILL TO BE ENTITLED
AN ACT

To amend Part 5 of Article 3 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to pawnbrokers, so as to provide for limitations regarding certain fees or taxes for specific pawnbroker transactions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 3 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to pawnbrokers, is amended by revising Code Section 44-12-135, relating to the effect of pawnbroker general laws on local laws, as follows:

"44-12-135.

(a) Nothing in this part shall supersede existing local laws nor relieve a pawnbroker from the necessity of complying with them. The requirements of local laws shall be construed as cumulative to this part.

(b) The governing authority of a municipality or county and any department or agency thereof shall not be authorized to adopt ordinances or resolutions that require the collection of any fee or tax related to a specific pawn transaction or sale of tangible personal property to a pawnbroker for purposes of resale by the pawnbroker. This subsection shall not prohibit regulatory fees or occupation taxes levied and imposed pursuant to Article 1 of Chapter 13 of Title 48."

SECTION 2.

Said part is further amended by revising Code Section 44-12-136, relating to the supervision of pawnbrokers by municipalities, as follows:

"44-12-136.

Municipal authorities may license pawnbrokers, define their powers and privileges by ordinance, impose taxes upon them, revoke their licenses, and exercise such general

1 supervision as will ensure fair dealing between the pawnbroker and his or her customers,
2 except as expressly prohibited in this part."

3 **SECTION 3.**

4 This Act shall become effective on January 1, 2009.

5 **SECTION 4.**

6 All laws and parts of laws in conflict with this Act are repealed.